

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1369-03
Bill No.: Truly Agreed To and Finally Passed SCS for HB 533
Subject: Firearms and Fireworks; State Employees; Motor Vehicles
Type: Original
Date: May 29, 2013

Bill Summary: This proposal would specify that the state shall not prohibit a state employee from keeping a firearm in his or her vehicle as long as the vehicle is locked and the firearm is not visible.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	\$0	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Department of Conservation, Office of Administration** and **Office of the State Courts Administrator** each assume the current proposal would not fiscally impact their respective agencies.

Officials from the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in the proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the courts. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (FY 2012 average \$17,059 per inmate, per day or an annual cost of \$6,227) or through supervision provided by the Board of Probation and Parole (FY 2012 average \$4.96 per offender, per day or an annual cost of \$1,810).

The following factors contribute to DOC's minimal assumption:

- DOC assumes the narrow scope of the crime will not encompass a large number of offenders.
- The low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence.
- The probability exists that offenders would be charged with a similar but more serious offense or that sentences may run concurrent to one another.

In summary, supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

Section 571.067

Oversight assumes should any county, municipality, or governing body offer a firearms exchange program the firearms collected would be sold or traded to any interested licensed firearm dealer with the proceeds of the sale belonging to the county, municipality, or governing body .

Oversight assumes no direct fiscal impact or an unknown positive fiscal impact if a county, municipality, or other governing body has a firearms exchange program.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
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LOCAL GOVERNMENT FUNDS

<u>Revenue - Cities and Counties</u>			
§ 571.067 - sale of firearms from exchange program	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>

ESTIMATED NET EFFECT ON LOCAL GOVERNMENT FUNDS	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This proposal would specify that the state could not prohibit a state employee from keeping a firearm in his or her vehicle as long as the vehicle is locked and the firearm is not visible. As well as, prohibits a county, municipality, or other governmental body from participating in a program in which individuals are given a thing of value in exchange for surrendering a firearm unless the county, municipality or governmental body adopts an ordinance providing that any firearm received will be offered for sale or trade to a licensed firearms dealer.

The proceeds from the sale must be deposited with the county, municipality, or governmental body unless the proceeds are collected by a sheriff, in which case they must be deposited in the County Sheriff's Revolving Fund. If the firearm is not sold or traded after being offered to at least two licensed firearms dealers, then the county, municipality, or governmental body may destroy the firearm.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

LO:LR:OD

SOURCES OF INFORMATION

Office of Administration
Office of the State Courts Administrator
Missouri Department of Conservation
Department of Corrections



Ross Strobe
Acting Director
May 29, 2013